

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 WILBERT E. BENNETT  
Supervising Deputy Attorney General  
3 SHANA A. BAGLEY, State Bar No. 169423  
Deputy Attorney General  
4 California Department of Justice  
1515 Clay Street, 20<sup>th</sup> Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2129  
Facsimile: (510) 622-2270

7 Attorneys for Complainant  
8

9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **SAHAR RASMI ZEIDAN**  
6955 Skyline Blvd.  
14 Hillsborough, California 94010

15 Registered Nurse License No. 471325

16 Respondent.  
17

Case No. 2007-180

**DEFAULT DECISION**  
**AND ORDER**

[Gov. Code, §11520]

18 **FINDINGS OF FACT**

19 1. On or about June 14, 2007, Complainant Ruth Ann Terry, M.P.H, R.N, in  
20 her official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs, filed Accusation No. 2007-180 against Sahar Rasmi Zeidan (Respondent)  
22 before the Board of Registered Nursing (Board).

23 2. On or about August 31, 1991, the Board issued Registered Nurse License  
24 No. 471325 to Respondent. The Registered Nurse License expired on October 31, 2002, and has  
25 not been renewed.

26 3. On or about June 28, 2007, Shontane McElroy, an employee of the  
27 Department of Justice, served by Certified and First Class Mail a copy of Accusation No. 2007-  
28 180, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code

1 sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which  
2 was and is: 6955 Skyline Blvd., Hillsborough, California 94010. A copy of the Accusation, the  
3 related documents, and Declaration of Service are attached as Exhibit "A," and are incorporated  
4 herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the  
6 provisions of Government Code section 11505, subdivision (c).

7 5. On or about June 29, 2007, the Respondent received the aforementioned  
8 documents and Respondent, or a party on her behalf, signed a U.S. Postal Service Certified Mail  
9 Receipt attesting to said delivery. A copy of the Certified Mail Receipt is attached as Exhibit  
10 "B," and is incorporated herein by reference.

11 6. Business and Professions Code section 118, subdivision (b), states:

12 The suspension, expiration, or forfeiture by operation of law of a  
13 license issued by a board in the department, or its suspension,  
14 forfeiture, or cancellation by order of the board or by order of a  
15 court of law, or its surrender without the written consent of the  
16 board, shall not, during any period in which it may be renewed,  
17 restored, reissued, or reinstated, deprive the board of its authority  
18 to institute or continue a disciplinary proceeding against the  
19 licensee upon any ground provided by law or to enter an order  
20 suspending or revoking the license or otherwise taking disciplinary  
21 action against the license on any such ground.

22 7. Government Code section 11506, subdivision (c), states:

23 The respondent shall be entitled to a hearing on the merits if the  
24 respondent files a notice of defense, and the notice shall be deemed  
25 a specific denial of all parts of the accusation not expressly  
26 admitted. Failure to file a notice of defense shall constitute a  
27 waiver of respondent's right to a hearing, but the agency in its  
28 discretion may nevertheless grant a hearing.

8. Respondent failed to file a Notice of Defense within 15 days after service  
upon her of the Accusation, and therefore waived her right to a hearing on the merits of  
Accusation No. 2007-180.

9. California Government Code section 11520, subdivision (a), states:

If the respondent either fails to file a notice of defense or to appear  
at the hearing, the agency may take action based upon the  
respondent's express admissions or upon other evidence and  
affidavits may be used as evidence without any notice to  
respondent.

11. The total costs for investigation and enforcement are \$7,729.50 as of September 19, 2007.

Exhibit “A”

**Accusation No. 2007-180,**  
Related Documents, and Declaration of Service

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 WILBERT E. BENNETT  
Supervising Deputy Attorney General  
3 SHANA A. BAGLEY, State Bar No. 169423  
Deputy Attorney General  
4 California Department of Justice  
1515 Clay Street, 20<sup>th</sup> Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2129  
Facsimile: (510) 622-2270  
7  
8 Attorneys for Complainant

9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation against:

Case No. 2007-180

12 **SAHAR RASMI ZEIDAN**  
13 6955 Skyline Blvd.  
14 Hillsborough, California 94010

**A C C U S A T I O N**

15 Registered Nurse License No. 471325

16 Respondent.

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Accusation solely  
21 in her official capacity as the Executive Officer of the Board of Registered Nursing, Department  
22 of Consumer Affairs.

23 2. On or about August 31, 1991, the Board of Registered Nursing issued  
24 Registered Nurse License Number 471325 to Sahar Rasmi Zeidan (Respondent). The Registered  
25 Nurse License expired on October 31, 2002, and has not been renewed.

26 ///

27 ///

28 ///

1 **JURISDICTION**

2 3. This Accusation is brought before the Board of Registered Nursing  
3 (Board), Department of Consumer Affairs, under the authority of the following laws. All section  
4 references are to the Business and Professions Code unless otherwise indicated.

5 4. Section 2750 of the Business and Professions Code (Code) provides, in  
6 pertinent part, that the Board may discipline any licensee, including a licensee holding a  
7 temporary or an inactive license, for any reason provided in Article 3 (commencing with section  
8 2750) of the Nursing Practice Act.

9 5. Section 2764 of the Code provides, in pertinent part, that the expiration of  
10 a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding  
11 against the licensee or to render a decision imposing discipline on the license.

12 6. Under section 2811 of the Code, subdivision (b), the Board may renew an  
13 expired license at any time within eight years after the expiration.

14 **STATUTORY PROVISIONS**

15 7. Section 820 of the Code states:

16 Whenever it appears that any person holding a license, certificate  
17 or permit under this division or under any initiative act referred to  
18 in this division may be unable to practice his or her profession  
19 safely because the licentiate's ability to practice is impaired due to  
20 mental illness, or physical illness affecting competency, the  
21 licensing agency may order the licentiate to be examined by one or  
22 more physicians and surgeons or psychologists designated by the  
23 agency. The report of the examiners shall be made available to the  
24 licentiate and may be received as direct evidence in proceedings  
25 conducted pursuant to Section 822.

26 8. Section 821 of the Code states that "[t]he licentiate's failure to comply  
27 with an order issued under Section 820 shall constitute grounds for the suspension or revocation  
28 of the licentiate's certificate or license."

25 ///

26 ///

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3  
4  
5

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

19  
20  
21  
22

23  
24  
25  
26  
27  
28


1 and are incorporated herein by reference as though fully set forth.) Respondent did not contact  
2 the Board within the required time period and, therefore, did not submit to the psychiatric  
3 examination as ordered.

4 **PRAYER**

5 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
6 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 7 1. Revoking or suspending Registered Nurse License Number 471325, issued  
8 to Sahar Rasmi Zeidan; and  
9 2. Ordering Sahar Rasmi Zeidan to pay the Board of Registered Nursing the  
10 reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
11 Professions Code section 125.3.

12  
13 DATED: 6/17/07

14  
15  
16   
17 RUTH ANN TERRY, M.P.H., R.N.  
18 Executive Officer  
19 Board of Registered Nursing  
20 Department of Consumer Affairs  
21 State of California  
22 Complainant  
23  
24  
25  
26  
27  
28